



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

STEINER ET AL

Serial No.: 10/092,537

Filed: March 8, 2002

For: IMPROVED BONE TENDON
BONE ASSEMBLY WITH
ALLOGRAFT BONE BLOCK
AND METHOD FOR INSERTING
SAME

EXAMINER PHAN

Group Art Unit 3738

RECEIVED

NOV 04 2003

TECHNOLOGY CENTER R3700

The Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

ELECTION UNDER 35 USC 121

Responsive to the Office Action of October 3, 2003, applicant responds as follows:

REMARKS

Applicant respectfully traverses the Examiner's restriction requirement and election. However, for purposes of responding to this action and to obtain examination, Applicant provisionally elects the invention designated by the Examiner as Species 4 represented by Figures 5, 16 - 18. At least Claim 1 is generic to all of the species as is Claim 47. A listing of the claims readable on the provisionally elected species are claims 1, 2, 4-9, 11-21, 43-47, 49 - 53, 55, 56, 58, 64 and 65.

Prompt examination is respectfully requested.

Respectfully submitted,

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